

In the United States Court of Federal Claims

No. 90-162C
and Consolidated Cases

(Filed September 16, 2008)

* * * * *

STEPHEN ADAMS, *et al.*, *

Plaintiffs, *

v. *

THE UNITED STATES, *

Defendant. *

* * * * *

ORDER

On September 15, 2008, pursuant to the court's order of July 9, 2008, the parties filed a Joint Status Report in the subject matter. The parties' status report gives an overview of the various claims, pending motions, negotiations, settlements, and payments that have occurred and/or are underway in the subject matter.

As to a partial settlement agreement regarding Marine Enforcement Officers at Customs, payment disputes continue for nine plaintiffs, but the parties continue to discuss the remaining issues and communicated on this topic on September 9, 2008. Payment related to the settlement of claims of diversion investigators at the DEA was made on June 24, 2008; plaintiffs appealed deductions made from the back pay for four plaintiffs on July 2, 2008, and the government's response to these appeals is due September 30, 2008.

The parties are negotiating a large settlement concerning many agencies, and, in particular, the plaintiffs employed by the Office of Inspector General (OIG) of the Department of Health and Human Services (HHS) and the OIG of the Department of Housing and Urban Development (HUD). The parties met on July

10, 2008 to discuss this proposed settlement. Plaintiff submitted a revised settlement proposal on September 9, 2008, and defendant anticipates responding to this proposal by September 29, 2008.

Defendant filed a motion for summary judgment regarding plaintiffs' remaining driving time claims on April 11, 2008. Plaintiffs then filed a motion to continue proceedings on defendant's motion to permit related discovery. The court stayed briefing on defendant's motion on May 19, 2008. Briefing on plaintiffs' motion to continue was completed on June 16, 2008. In addition, plaintiffs filed a motion to compel production of documents on July 31, 2008, for which briefing was completed on September 2, 2008.

The parties have not yet reached accord on dismissal of the entirety of claims for plaintiffs in some of the earliest filed cases in this litigation. In conclusion, the parties request that their next status report be filed on or before December 11, 2008.

Accordingly, it is hereby **ORDERED** that the parties shall **FILE a Joint Status Report**, on or before **December 11, 2008**, to apprise the court of the status of the resolution of the claims in the subject matter.

/s/Lynn J. Bush
LYNN J. BUSH
Judge